



DOUGLAS A. DUCEY  
GOVERNOR

STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

April 17, 2018

The Honorable Michele Reagan  
Secretary of State  
1700 W. Washington, 7<sup>th</sup> Floor  
Phoenix, AZ 85007

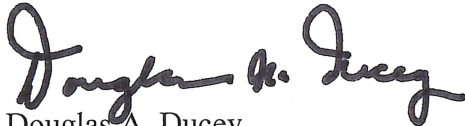
Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2<sup>nd</sup> Regular Session, which I signed on April 17, 2018:

HB 2040 pharmacy board; definitions; reporting (Carter)  
HB 2041 pharmacy board; licenses; permits (Carter)  
HB 2065 public meetings; definition; penalties (Leach)  
HB 2125 task force; towing safety (Shope)  
HB 2126 government property; abatement; slum; blight (Leach)  
HB 2249 protective orders; filing requirements (Farnsworth, E.)  
HB 2250 physician assistants; prescribing authority; delegation (Carter)  
HB 2257 radiation regulatory boards; repeal; DHS (Carter)  
HB 2262 condominiums; termination; appraisals (Toma)  
HB 2306 towing companies; insurance companies; owners (Campbell)  
HB 2313 sentencing; monetary obligations; fine mitigation (Farnsworth, E.)  
HB 2322 health insurers; provider credentialing (Carter)  
HB 2327 federal officers; personal information; confidentiality (Farnsworth, E.)  
HB 2334 liquor omnibus (Weninger)  
HB 2411 health professionals; licensure; report (Mosley)  
HB 2521 vehicle size, weight and load (John)  
HB 2549 controlled substances; dosage limit (Carter)  
HB 2550 contractor qualifications; work experience (Toma)  
HB 2558 drug disposal; education (Cobb)  
HB 2588 misrepresentation; service animals (Cook)

HB 2604 limited liability company act; revisions  
SB 1065 commercial vehicles; ports of entry (Brophy McGee)  
SB 1120 tax exemption; special events; nonprofits (Kavanagh)  
SB 1152 education; appropriation; noncustodial federal monies (Allen, S.)  
SB 1218 developmental homes; licensure; investigations (Brophy McGee)  
SB 1264 gift cards; dormancy fee; prohibition (Yarbrough)  
SB 1274 public monies; recovery; illegal payments (Petersen)  
SB 1291 schools; pupil assessment data (Brophy McGee)  
SB 1295 producer fees; insurance (Kavanagh)  
SB 1400 aggravated DUI; sentence; county jail (Smith)  
SB 1450 independent oversight committees; appointment; duties (Barto)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is fluid and cursive, with the first name "Douglas" being the most prominent.

Douglas A. Ducey  
Governor  
State of Arizona

cc: Senate Secretary  
Chief Clerk of the House of Representatives  
Arizona News Service

House Engrossed Senate Bill

**FILED**

**MICHELE REAGAN**

**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-third Legislature  
Second Regular Session  
2018

**CHAPTER 252**  
**SENATE BILL 1264**

AN ACT

AMENDING SECTION 44-7402, ARIZONA REVISED STATUTES; RELATING TO GIFT CARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 44-7402, Arizona Revised Statutes, is amended to  
3 read:

4 44-7402. Gift card fees prohibited; underlying monies  
5 expiration date prohibited; civil penalty

6 A. ~~Any~~ A gift card MAY NOT BE subject to ~~an expiration date or a~~  
7 ~~fee. , or both, shall clearly and conspicuously disclose the following:~~

8 ~~1. The expiration date.~~

9 ~~2. The amount of the fee and when the fee is incurred.~~

10 ~~B. The disclosure required in subsection A of this section shall be~~  
11 ~~clearly visible to a consumer before the purchase is made. In the case of~~  
12 ~~a paper gift certificate, the information in subsection A of this section~~  
13 ~~shall be disclosed on the front of the gift certificate.~~

14 ~~C. For a gift card purchase via electronic or computer means, the~~  
15 ~~existence of an expiration date and the amount of the fee and when the fee~~  
16 ~~is incurred shall be conspicuously disclosed to the consumer before the~~  
17 ~~purchase via the means used to purchase the gift card. For a gift card~~  
18 ~~purchase via telephonic means, the existence of an expiration date and the~~  
19 ~~amount of the fee and when the fee is incurred shall be disclosed verbally~~  
20 ~~to the consumer before the purchase.~~

21 B. THE UNDERLYING MONIES ON A GIFT CARD MAY NOT BE SUBJECT TO AN  
22 EXPIRATION DATE.

23 C. A GIFT CARD OR A CODE OR DEVICE ASSOCIATED WITH A GIFT CARD MAY  
24 CONTAIN AN EXPIRATION DATE WITH RESPECT TO THE GIFT CARD OR THE CODE OR  
25 DEVICE, BUT NOT WITH RESPECT TO THE UNDERLYING MONIES, IF THE GIFT CARD  
26 CONTAINS A CLEAR AND CONSPICUOUS DISCLOSURE THAT THE UNDERLYING MONIES DO  
27 NOT EXPIRE AND THAT THE CONSUMER MAY CONTACT THE ISSUER FOR A REPLACEMENT  
28 GIFT CARD OR A REPLACEMENT CODE OR DEVICE ASSOCIATED WITH THE GIFT CARD.  
29 IF THE GIFT CARD IS AN ELECTRONIC GIFT CARD, THE DISCLOSURE SHALL BE IN  
30 THE MESSAGE TO THE CONSUMER THAT CONTAINS THE CARD NUMBER OR CODE.

31 D. This section does not apply to any of the following:

32 1. A gift card THAT IS distributed to a consumer pursuant to an  
33 awards, loyalty or promotional program when no money or other ~~thing of~~  
34 PROPERTY WITH value has been given by the consumer in exchange for the  
35 gift card.

36 2. A gift card that is sold below face value to a nonprofit or  
37 charitable organization or THAT IS donated to a nonprofit or charitable  
38 organization for fund raising purposes.

39 3. A card for prepaid telecommunication services, ~~a debit card~~  
40 ~~connected to a person's bank account or an electronic funds transfer card~~  
41 AN ELECTRONIC FUNDS TRANSFER CARD OR A BANK-ISSUED DEBIT OR GENERAL  
42 PURPOSE RELOADABLE PREPAID CARD NOT MARKETING OR LABELED AS A GIFT CARD OR  
43 GIFT CERTIFICATE.

44 E. Notwithstanding ~~title 44,~~ chapter 10, article 7 OF THIS TITLE,  
45 the sole penalty for a violation of this section ~~shall be~~ IS a civil  
46 penalty of not more than five hundred dollars per card violation.



Passed the House April 9, 20 18

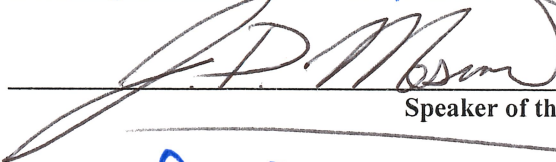
Passed the Senate February 26, 20 18

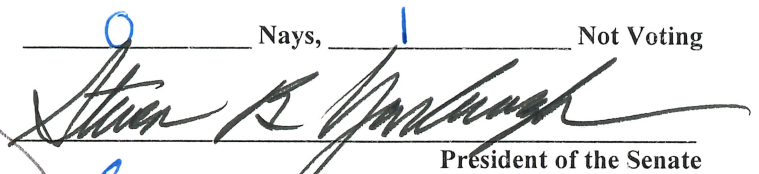
by the following vote: 56 Ayes,


by the following vote: 29 Ayes,

0 Nays, 4 Not Voting

0 Nays, 1 Not Voting

  
Speaker of the House

  
President of the Senate

  
Chief Clerk of the House

  
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,~~

~~at \_\_\_\_\_ o'clock \_\_\_\_\_ M.~~

~~\_\_\_\_\_  
Secretary to the Governor~~

~~Approved this \_\_\_\_\_ day of~~

~~\_\_\_\_\_, 20\_\_\_\_,~~

~~at \_\_\_\_\_ o'clock \_\_\_\_\_ M.~~

~~\_\_\_\_\_  
Governor of Arizona~~

S.B. 1264

~~EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,~~

~~at \_\_\_\_\_ o'clock \_\_\_\_\_ M.~~

~~\_\_\_\_\_  
Secretary of State~~

SENATE CONCURS IN HOUSE  
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 11, 20 18

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Steve B. Farber  
President of the Senate

Juan Ocasio  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

11<sup>th</sup> day of June, 20 18

at 11:23 o'clock A. M.

[Signature]  
Secretary to the Governor

Approved this 17<sup>th</sup> day of

April 2018

at 10:29 o'clock A. M.

Douglas D. Ducey  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 17 day of April, 20 18

at 5:21 o'clock P. M.

Michelle Reagan  
Secretary of State